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Our Docket No.: 01-00003

| OFFICIAL | | RECEIVED CENTHAL FAX CENTE FEB 2 2 2006 | |
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| FACSIMILE | | | |
| TO: Commissioner for Patents | FROM: Rosalyn M. Espejo | | |
| COMPANY: U.S. Patent and Trademark Office | DATE: 02/22/2006 | | |
| FAX NUMBER: 571-273-8300 | TOTAL NO. OF PAGES INCL 4 | UDING COVER: | |
| PHONE NUMBER: 571-272-1000 | SENDER'S PHONE NUMBER 858-202-4556 | R: | |
| RE: Serial no. 10/600,634 | | | |

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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|------------------------------------|
|) Examiner: Bertagna, Angela Marie |
|) Group Art Unit: 1637 |
|) Confirmation No.: 7176 |
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Mail Stop Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450 CERTIFICATE OF TRANSMISSION I, Rosalyn M. Espejo, hereby certify that this correspondence, including listed enclosures, is being transmitted by facsimile to the United States Patent and Trademark Office on February 22, 2006.

Rosalyn M. Espcjo

Sir:

Transmitted herewith for filing, in response to the Restriction Requirement mailed February 14, 2006, are the following:

- x Response to Restriction Requirement (2 pages).
- x Applicants claim small entity status.

ILLUMINA INC

PAGE 02/04

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Our Docket No.: 01-00003 Inventors: Gunderson et al. Serial No.: 10/600,634 Filing Date: June 20, 2003

Page 2 of 2

PENDING CLAIMS

| | No. of current claims | Highest number previously paid for | No. extra | Small entity fee | Other entity fee |
|----------------------------------|------------------------|---|-----------|------------------|------------------|
| Total claims | 77 | 77 | 0 | x 25 = \$0 | x 50 = \$ |
| Independent claims | 6 | 6 | 0 | x 100 = \$ 0 | x 200 = \$ |
| First presentat dependent cla | ion of multiple ims | yes | _xx_no | +180 = \$ 0 | +360 = \$ |
| Total addition | al fee | | * | \$ 0 | \$ |

x No fee is believed to be due at this time. The Commissioner is authorized to charge any shortage in fees due in connection with the filing of this paper, including extension fees but excluding issue fees, to Deposit Account No. 502690 (Order No. 01-00003) and please credit any excess fees to such deposit account.

Please address all correspondence to:

John T. Murphy Illumina, Inc. 9885 Towne Centre Dr. San Diego, CA 92121-1975 (Customer No. 29389)

Respectfully submitted,

Date: February 22, 2006

oun T. Murphy, Reg. No. 50,583

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FEB 2 2 2006 PATENT

Docket No.: 01-00003

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

| Applicant: | Gunderson, Kevin et al. | |
|------------|-------------------------|----------------------------------|
| | | |
| | | Customer No.: 29389 |
| Appl. No.: | 10/600,634 | Confirmation No.: 7176 |
| Filed: | June 20, 2003 | Group Art Unit: 1637 |
| | | Examiner: Bertagna, Angela Marie |

CERTIFICATE OF TRANSMISSION

I, Rosalyn M. Espejo, hereby certify that this correspondence, including listed enclosures, is being transmitted by facsimile to the United States Patent and Trademark Office on February 22, 2006.

Signed: Rosalyn M. Espejo

RESPONSE TO RESTRICTION REQUIREMENT

Mail Stop Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

Responsive to the Restriction Requirement mailed February 14, 2006, consideration of the following Remarks is respectfully requested.

<u>REMARKS</u>

Claims 1-77 are pending and are subject to a restriction requirement under 35 U.S.C. § 121. The Office alleges that the claims are directed to four distinct inventions, as set forth below: